

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

DONALD P. SPEAKMAN, STEPHEN
H. WEDEL and MARK L. ROBARE,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

ALLMERICA FINANCIAL LIFE INS.
& ANNUITY CO., FIRST ALLMERICA
FINANCIAL LIFE INS. CO.,
ALLMERICA FINANCIAL CORP.,
JOHN F. O'BRIEN, EDWARD J.
PARRY, III, RICHARD M. REILLY and
JAMES E. BELLNER,

Defendants.

Civil Action No. 04-40077-NMG

JOINT MOTION FOR SCHEDULING ORDER

Plaintiffs Donald P. Speakman, Stephen H. Wedel, and Mark L. Robare, individually and on behalf of all others similarly situated (collectively "plaintiffs"), and defendants Allmerica Financial Life Insurance & Annuity Co., First Allmerica Financial Life Insurance Co., Allmerica Financial Corp., John F. O'Brien, Edward J. Parry, III, Richard M. Reilly, and James E. Bellner (collectively "defendants") hereby jointly move the Court to issue the following scheduling order in the above-entitled matter:

1. Plaintiffs shall file an amended complaint on or before June 23, 2004.
2. Defendants shall file a motion to dismiss the amended complaint on or before August 11, 2004.

3. Plaintiffs shall file an opposition to the motion to dismiss on or before September 29, 2004.

4. Defendants shall file a reply brief in support of their motion to dismiss on or before October 19, 2004.¹

All briefs in support of or in opposition to the defendants' motion to dismiss shall be no longer than 25 pages in length.

WHEREFORE, the parties respectfully request that the Court allow their joint motion and issue a scheduling order as outlined above.

DONALD P. SPEAKMAN, STEPHEN H. WEDEL, and MARK L. ROBARE,
Individually and On Behalf of All Others
Similarly Situated

By their attorneys,

/s/ Nancy Freeman Gans

Nancy Freeman Gans (BBO No. 184540)
Moulton & Gans, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109-4216
(617) 369-7979

Stephen L. Hubbard
Robert W. Beiderman (BBO No. 562279)
David M. Grossman
Hubbard & Biederman, LLP
1717 Main Street, Suite 4700
Dallas, TX 75201
(214) 857-6000

ALLMERICA FINANCIAL LIFE
INSURANCE & ANNUITY CO., FIRST
ALLMERICA FINANCIAL LIFE
INSURANCE CO., ALLMERICA
FINANCIAL CORP., JOHN F. O'BRIEN,
EDWARD J. PARRY, III, RICHARD M.
REILLY, and JAMES E. BELLNER

By their attorneys,

/s/ Eric D. Levin

Andrea J. Robinson (BBO No. 556337)
Jonathan A. Shapiro (BBO No. 567838)
Eric D. Levin (BBO No. 639717)
Brett R. Budzinski (BBO No. 655238)
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
(617) 526-6000

Dated: June 8, 2004

¹ The parties have designed this schedule to accommodate the professional, personal, and religious commitments of counsel.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on this 8th day of June, 2004 on:

By Fax

Nancy Freeman Gans
Moulton & Gans, P.C.
33 Broad Street
Boston, MA 02109-4216

By Overnight Mail

Stephen L. Hubbard
Robert W. Biederman
David M. Grossman
Hubbard & Biederman, LLP
1717 Main Street, Suite 4700
Dallas, TX 75201

/s/ Eric D. Levin

Eric D. Levin